



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant : Carl Ware

Art Unit : 1644

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Serial No. : 09/549,096

Examiner : Huynh, P.

TECH CENTER 1600/2900

Filed : April 12, 2000

Title : LIGAND FOR HERPES SIMPLEX VIRUS ENTRY MEDIATOR AND
METHODS OF USEAssistant Commissioner of Patents
Washington, DC 20231#10
Harry
Feb 9, 02RESPONSE TO OFFICE COMMUNICATION

In response to the Action mailed August 30, 2001, in connection with the above-identified application, the time for responding having been extended to January 30, 2002, by the accompanying fee and petition under 37 C.F.R. §1.136, Applicant respectfully requests consideration of the following remarks:

REMARKS

These remarks are in response to the Action mailed August 30, 2001. Claims 1 to 50 are pending and are subject to restriction.

Regarding the Restriction Requirement

Applicant elects group VII, claims 26 to 32 and 34 to 36, for prosecution in the subject application. Applicant traverses the restriction requirement on the following grounds.

The methods of the groups VII-XII claims are directed to using a soluble polypeptide to inhibit various p30 mediated disorders. Thus, each of the claims recite the same method to inhibit the various diseases. In addition, each of the claims recite that the method is directed to inhibiting p30 polypeptide. In this regard, p30 polypeptide participates in each of the specifically recited diseases, which are lymphocyte mediated diseases. For example, inflammatory diseases such as rheumatoid arthritis, systemic lupus erythematosus, and multiple sclerosis are known and categorized as autoimmune diseases, having undesirable inflammation and tissue destruction caused by activated T or B lymphocytes. p30 is required for the activation of T and B lymphocytes. Thus, disrupting p30 with a soluble polypeptide will necessarily disrupt the activation process of lymphocytes, which cause disease thereby inhibiting the disease process.